

1-1 By: Phelan, et al. (Senate Sponsor - Creighton) H.B. No. 1177
 1-2 (In the Senate - Received from the House April 23, 2019;
 1-3 April 24, 2019, read first time and referred to Committee on State
 1-4 Affairs; May 15, 2019, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 1;
 1-6 May 15, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 1177 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to carrying a concealed handgun following a mandatory
 1-22 evacuation order issued during a state of disaster.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 46.15, Penal Code, is amended by adding
 1-25 Subsections (k) and (l) to read as follows:

1-26 (k) Section 46.02 does not apply to a person who carries a
 1-27 handgun if:

1-28 (1) the person carries the handgun in a concealed
 1-29 manner;

1-30 (2) the person carries the handgun while:

1-31 (A) evacuating from an area following a mandatory
 1-32 evacuation order issued during a state of disaster declared under
 1-33 Section 418.014, Government Code, or a local state of disaster
 1-34 declared under Section 418.108, Government Code, with respect to
 1-35 that area; or

1-36 (B) reentering that area following the person's
 1-37 evacuation;

1-38 (3) not more than 48 hours have elapsed since the
 1-39 mandatory evacuation order was issued, or more than 48 hours have
 1-40 elapsed since the mandatory evacuation order was issued and the
 1-41 governor has extended the period during which a person may carry a
 1-42 concealed handgun; and

1-43 (4) the person is not prohibited by state or federal
 1-44 law from possessing a firearm.

1-45 (l) For purposes of Subsection (k), "evacuating" means the
 1-46 immediate and urgent movement of a person away from an area that is
 1-47 subject to an evacuation order.

1-48 SECTION 2. The change in law made by this Act applies only
 1-49 to an offense committed on or after the effective date of this Act.
 1-50 An offense committed before the effective date of this Act is
 1-51 governed by the law in effect on the date the offense was committed,
 1-52 and the former law is continued in effect for that purpose. For
 1-53 purposes of this section, an offense was committed before the
 1-54 effective date of this Act if any element of the offense was
 1-55 committed before that date.

1-56 SECTION 3. This Act takes effect September 1, 2019.

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